

Customer No.: 31561
Application No.: 10/065,383
Docket No.: 9736-US-PA

REMARKS

I. Present Status of the Application

The Office Action rejected claims 7 and 10-11 under 35 U.S.C. § 102(e) as being anticipated by Muka (US 5,752,796). The Office Action further rejected, under 35 U.S.C. § 103(a), claims 1-2 and 4-6 as being unpatentable over Muka in view of Kaji et al. (US 2003/0113189 A1), claim 3 as being unpatentable over Muka in view of Kaji et al. as applied to claims 1-2 and 4-6 and further in view of Iwai et al. (US 5,562,383), claim 8 as being unpatentable over Muka as applied to claims 7 and 10-11 in view of Iwai et al., and claim 9 as being unpatentable over Muka as applied to claims 7 and 10-11.

Upon entry of the amendments in this response, claims 1 and 7 are amended; limitations recited originally in claim 2 are incorporated into claim 1, and thus claim 2 is canceled without prejudice. Hence, claims 1 and 3-11 are now pending in the present application, with claims 1 and 7 being independent claims. Here, claims 1 and 7 are amended to further define the claims, and the amendments of which are supported by, for example, specification, in paragraph [0024], and Fig. 2. Applicants believe that the foregoing amendments do not introduce new matter. Thus, reconsideration of those claims is respectfully requested.

II. Response to Rejections

Customer No.: 31561
Application No.: 10/065,383
Docket No.: 9736-US-PA

A. Rejections under 35 U.S.C. § 102(e)

The Office Action, at page 2, rejected claims 7 and 10-11 under 35 U.S.C. § 102(e) as being anticipated by Muka (US 5,752,796). Applicants respectfully traverse the rejection as applied to the amended claims for at least the reasons set forth below.

To anticipate a claim, the prior art reference must teach each and every element of the claim. M.P.E.P. § 2131.

The present invention, as claimed in the amended independent claim 7, is directed to a dust-proofing device setup “between a robot blade of a processing station and a front opening unified pod (FOUP),” and apparently “a curtain” of gas flow is formed between a robot blade of a processing station and the FOUP, and the gas flow sweeps over the wafers, from left to right or vice versa, in a direction parallel to the surfaces of the wafers.

Muka, however, discloses a dust-proofing device (item 190 in Figs. 5 and 6) setup *in* the FOUP (52 in Figs. 5 and 6), rather than *between* the robot blade of a processing station and the FOUP. Thus, Muka teaches a structural feature rather different from that of the claimed invention.

Therefore, Muka does not anticipate claim 7, as amended, since Muka does not disclose each and every element of the claims. Consequently, Muka does not anticipate claims 10-11, as they are dependent on claim 7.

Customer No.: 31561
Application No.: 10/065,383
Docket No.: 9736-US-PA

Accordingly, Applicants respectfully submit that the grounds of rejection have been addressed and the rejection has been overcome. Reconsideration and withdrawal of the rejection are respectfully requested.

B. Rejections under 35 U.S.C. § 103(a)

The Office Action, at pages 3-6, rejected, under 35 U.S.C. § 103(a), claims 1-2 and 4-6 as being unpatentable over Muka in view of Kaji et al. (US 2003/0113189 A1), claim 3 as being unpatentable over Muka in view of Kaji et al. as applied to claims 1-2 and 4-6 and further in view of Iwai et al. (US 5,562,383), claim 8 as being unpatentable over Muka as applied to claims 7 and 10-11 in view of Iwai et al., and claim 9 as being unpatentable over Muka as applied to claims 7 and 10-11. Applicants respectfully traverse the rejection as applied to the amended claims.

When applying to obviousness rejections, the references as well as the claimed invention must be considered as a whole, and the references must suggest the desirability and thus the obviousness of making the combination. M.P.E.P. § 2141. Thus, it is not appropriate to modify the content of a prior art reference to achieve the claimed invention, unless there is some suggestion in the reference to do so.

The present invention, as claimed in the amended independent claim 1, is directed to a FOUP door opener with a dust-proofing device, and the FOUP door opener includes an inner door, an outer door and a dust-proofing device, wherein the dust-proofing device is "setup close

Customer No.: 31561
Application No.: 10/065,383
Docket No.: 9736-US-PA

to the processing station. Apparently, the dust-proofing device is setup between the FOUP and the processing station. Further, "a curtain" of a gas flow is formed perpendicular to the direction "for wafers going in and out of the FOUP", and the gas flow sweeps over the wafers, from left to right or vice versa, in a direction "parallel to the surfaces of the wafers."

Muka, however, fails to teach the dust-proofing device setup between the processing station and the FOUP, and fails to teach an inner door setup close to the FOUP (Office Action, at page 4, item 6). Apparently, as discussed in the foregoing subsection, Muka fails to teach a curtain of gas flow formed between the processing station and the FOUP. Even though teaching a purifying device (82 in Fig. 2) setup between a processing station (A in Fig. 2) and a FOUP (32Aa~32Ag, in Fig. 2), Kaji et al. fail to teach a curtain of gas flow formed parallel to the surface of the wafers (but rather perpendicular to the surface of the wafers as shown in Fig. 2). Therefore, Muka and Kaji et al. teach rather different techniques; Muka teaches a dust-proofing device setup inside a FOUP and a gas flow is formed parallel to the surface of the wafers being transferred, while Kaji et al. teach a dust-proofing device setup outside of a FOUP and a gas flow if formed perpendicular to the surface of wafers being transferred. In consideration of the foregoing significant structural difference of the two prior art teachings as a whole, it is clear that there is no suggestion or motivation for a person of ordinary skill in the art to combine such different structural features, in other words, there is no suggestion or motivation to modify Muka's structure by adopting Kaji et al.'s teaching so as to provide a dust proofing device setup between a processing station and a FOUP and keep the curtain of a gas flow sweeping over the

Customer No.: 31561
Application No.: 10/065,383
Docket No.: 9736-US-PA

wafers, from left to right or vice versa, in a direction parallel to the surfaces of the wafers being transferred.

Thus, claim 1 is not rendered obvious over Muka in view of Kaji et al. Consequently, claim 2 and 4-6, as dependent on claim 1, are also non-obvious over the prior art references as a matter of law.

Further, because that claims 1-2 and 4-6 are not rendered obvious over Muka in view of Kaji et al., as discussed above, and that claim 3 is dependent on claim 1, claim 3 is not obvious over Muka in view of Kaji et al. as applied to claims 1-2 and 4-6 and further in view of Iwai et al. Similarly, because that Muka fails to teach or suggest features recited in the claims 7 and 10-11, as discussed in the foregoing subsection, and that claim 8 or 9 is dependent on claim 7, claim 8 is not obvious over Muka as applied to claims 7 and 10-11 in view of Iwai et al., and claim 9 is not obvious over Muka as applied to claims 7 and 10-11.

Therefore, claims 1 and 3-6 and 8-9 are not obvious over Muka either alone or in combination with Kaji et al. or Iwai et al. Accordingly, for at least the foregoing reasons, Applicants respectfully submit that the grounds of rejection have been addressed and the rejection has been overcome. Reconsideration and withdrawal of the rejection are respectfully requested.

Customer No.: 31561
Application No.: 10/065,383
Docket No.: 9736-US-PA

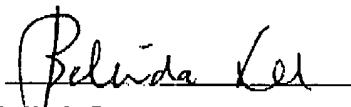
CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims 1 and 3-11 are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Respectfully submitted,

Date :

June 15, 2004


Belinda Lee
Registration No.: 46,863

Jianq Chyun Intellectual Property Office
7th Floor-1, No. 100
Roosevelt Road, Section 2
Taipei, 100
Taiwan
Tel: 011-886-2-2369-2800
Fax: 011-886-2-2369-7233
Email: belinda@jcipgroup.com.tw
Usa@jcipgroup.com.tw